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Attorneys for Debtors  
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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re	: Chapter 11 Case No.
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	: 08-13555 (JMP)
Debtors.	: (Jointly Administered)
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**NOTICE OF SUPPLEMENT TO DEBTORS' MOTION  
PURSUANT TO SECTIONS 105(a) AND 362 OF THE BANKRUPTCY CODE  
FOR AN ORDER ENFORCING THE AUTOMATIC STAY AND HOLDING  
SHINSEI BANK IN CONTEMPT FOR VIOLATING THE AUTOMATIC STAY**

PLEASE TAKE NOTICE that, on August 11, 2009, Lehman Brothers Holdings Inc. ("LBHI") and its affiliated debtors in the above-referenced chapter 11 cases (together, the "Debtors") filed a Motion Pursuant To Sections 105(a) and 362 Of The Bankruptcy Code For An Order Enforcing The Automatic Stay And Holding Shinsei Bank In Contempt For Violating The Automatic Stay (the "Motion") [Docket No. 4764].

PLEASE TAKE FURTHER NOTICE that, on August 17, 2009, the Debtors filed the annexed supplement (the "Supplement") to the Motion.

PLEASE TAKE FURTHER NOTICE that a hearing (the "Hearing") to consider the Motion (as supplemented) shall be held before the Honorable James M. Peck, United States

Bankruptcy Judge, at the United States Bankruptcy Court, Alexander Hamilton Customs House, Courtroom 601, One Bowling Green, New York, New York 10004 (the “Bankruptcy Court”), on **August 26, 2009 at 10:00 a.m. (Prevailing Eastern Time)** (the “Hearing”).

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Motion shall be in writing, shall conform to the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and the Local Rules of the Bankruptcy Court for the Southern District of New York, shall set forth the name of the objecting party, the basis for the objection and the specific grounds thereof, shall be filed with the Bankruptcy Court electronically in accordance with General Order M-242 (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)) by registered users of the Bankruptcy Court’s case filing system and by all other parties in interest on a 3.5 inch disk, preferably in Portable Document Format (PDF), WordPerfect, or any other Windows-based word processing format (with two hard copies delivered directly to Chambers), and shall be served upon: (i) the chambers of the Honorable James M. Peck, One Bowling Green, New York, New York 10004, Courtroom 601; (ii) Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153, Attn: Richard P. Krasnow, Esq., Richard L. Levine, Esq. and Shai Y. Waisman, Esq., attorneys for the Debtors; (iii) the Office of the United States Trustee for the Southern District of New York (the “U.S. Trustee”), 33 Whitehall Street, 21st Floor, New York, New York 10004, Attn: Andy Velez-Rivera, Esq., Paul Schwartzberg, Esq., Brian Masumoto, Esq., Linda Riffkin, Esq., and Tracy Hope Davis, Esq.; (iv) Milbank, Tweed, Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, New York 10005, Attn: Dennis F. Dunne, Esq., Dennis O’Donnell, Esq., and Evan Fleck, Esq., attorneys for the Official Committee of Unsecured Creditors appointed in these cases; and (v) any person or entity with a particularized interest in

the Motion, so as to be so filed and received by no later than **August 21, 2009 at 4:00 p.m.**  
(**prevailing Eastern Time**) (the “Objection Deadline”).

PLEASE TAKE FURTHER NOTICE that if an objection to the Motion is not received by the Objection Deadline, the relief requested shall be deemed unopposed, and the Bankruptcy Court may enter an order granting the relief sought without a hearing.

PLEASE TAKE FURTHER NOTICE that objecting parties are required to attend the Hearing, and failure to appear may result in relief being granted or denied upon default.

Dated: August 17, 2009  
New York, New York

/s/ Richard P. Krasnow  
Richard P. Krasnow  
Richard L. Levine  
Shai Y. Waisman

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SECTIONS 105(a) AND 362 OF THE BANKRUPTCY CODE  
FOR AN ORDER ENFORCING THE AUTOMATIC STAY AND HOLDING  
SHINSEI BANK IN CONTEMPT FOR VIOLATING THE AUTOMATIC STAY**

TO THE HONORABLE JAMES M. PECK  
UNITED STATES BANKRUPTCY JUDGE:

On August 11, 2009, Lehman Brothers Holdings Inc. ("LBHI") and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and debtors in possession (together, the "Debtors" and, collectively with their non-debtor affiliates, "Lehman"), filed the Motion Pursuant To Sections 105(a) And 362 Of The Bankruptcy Code For An Order Enforcing The Automatic Stay And Holding Shinsei Bank In Contempt For Violating The Automatic Stay (the "Motion") [Docket No. 4764].<sup>1</sup>

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<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

The Debtors file this Supplement to the Motion to clarify the following matters:

1. The statement in the Motion that Shinsei Bank is a co-chair of the Asia Subcommittee of the Creditors' Committee (the "Subcommittee") was an error (Motion at ¶¶ 1, 23, 36, 37). The Debtors have been advised that while Shinsei Bank is a member of the Subcommittee, the Subcommittee has no chair or co-chair.
2. The Motion did not assert that Shinsei Bank misused its position on the Creditors' Committee or the Subcommittee, or inappropriately used confidential information concerning the Debtors or these cases obtained as a member of the Creditors' Committee or the Subcommittee, in connection with the Sunrise Insolvency Proceeding. It was not the Debtors' intention to suggest or imply, when noting that Shinsei Bank is a member of the Creditors' Committee and the Subcommittee, that it has improperly used confidential information obtained through its membership on the Creditors' Committee or the Subcommittee, or in any other way misused its position or breached its fiduciary duties as a member of those committees.
3. The Debtors have been advised by counsel for the Creditors' Committee that (i) the Creditors' Committee's Bylaws prohibit members from sharing non-public information acquired in the course of their service on the Creditors' Committee with others at their respective institutions, which prohibition the Creditors' Committee has no reason to believe that the Shinsei Bank representative on the Creditors' Committee violated; and (ii) the Bylaws also require members to recuse themselves from Creditors' Committee discussions involving matters potentially affecting their institutions directly, which, in fact, the Shinsei Bank representative invariably did when such matters arose.

WHEREFORE for the reasons stated in the Motion, as hereby supplemented, the

Debtors respectfully request that the Court grant the relief requested in the Motion and such other and further relief as it deems just and proper.

Dated: August 17, 2009  
New York, New York

/s/ Richard P. Krasnow

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